



**CITY OF BELMONT
MEMORANDUM**

TO: Planning Commission

FROM: Jennifer Walker, Associate Planner

VIA: Carlos de Melo, Community Development Director

SUBJECT: October 17, 2006 Planning Commission Meeting – Agenda Item 6A
Application No. 2006-0035 – 3403 Beresford Avenue
Single Family Design Review

SUMMARY

The applicant requests Single Family Design Review approval to construct a 1,256 square-foot addition for an existing 1,905 square-foot single family residence for a total of 3,161 square feet that is below the zoning district permitted 3,500 square feet for this site. At the July 18, 2006 meeting, the Planning Commission directed continuance of the application to a date uncertain to allow the applicant to revise plans to address the concerns discussed below.

RECOMMENDATION

Staff recommends that the Planning Commission **approve** the Single Family Design Review subject to the conditions of approval contained in the attached draft resolution¹.

ZONING/GENERAL PLAN DESIGNATION

The existing single-family residence is a permitted use in the designated R-1B (Single Family Residential) zoning district, and is conforming to the General Plan Designation RL - Low Density Residential.

PRIOR ACTIONS/BACKGROUND

The subject property was established as part of the Belmont Country Club Subdivision No. 8 in 1926, and the single-family residence was built in 1960. There have been no other planning actions for this property.

At the July 18, 2006 meeting, the Planning Commission directed staff to work with the applicant to make plan revisions (and/or provide specific information) to address the concerns/comments listed below:

¹ Please note: This recommendation is made in advance of public testimony or Commission discussion of the project. At the public hearing, these two factors, in conjunction with the staff analysis, will be considered by the Commission in rendering a decision on the project.

PLANNING COMMISSION STAFF REPORT
RE: 3403 Beresford Avenue, PA#2006-0035
October 17, 2006
Page 2

300-500 ft. Radius Map

- Confirmation of Title 24 compliance
- Reduction of hardscape
- Revised landscape and irrigation plan including a new tree
- Additional information regarding the proposed fiberglass roof eave element
- Addressing building height and bulk
- Detailed rendering of proposed home
- Solar Panels

Revised project plans (see Attachment VII, Plan Set dated 09/29/2006) addressing the above issues were subsequently submitted for the dwelling and are summarized in the Discussion section below. A complete staff report was prepared for the 07/18/06 Planning Commission public hearing (see Attachment V). All facts and information contained in that report remain the same with the exception of the Project Analysis and the Single Family Design Review Evaluation sections that have been modified to incorporate the project revisions and are included in this memo.

DISCUSSION

Title 24 Compliance: Some of the windows that were originally proposed on the second story elevations have been modified to “clerestory” windows in order provide more privacy from neighboring properties and to comply with Title 24 requirements. The applicant had the project evaluated for compliance with Title 24 requirements. A copy of the certificate of compliance report was submitted and has been reviewed and accepted by the Building official.

Reduction of hardscape: The applicant has reduced the percentage of hardscape on the property from 49.6% to 42.8% by removing a portion of the oversized driveway and creating a new landscaped area with a tree, removing the existing shed and concrete pad in the rear yard, and removing the concrete walkway in the side and rear yards. The existing concrete walkway in the front yard will be rebuilt using on-grade flagstones.

Revised Landscape Plan: A full landscape and irrigation plan has been submitted as part of the revised plan set (Attachment VII, sheets L-1, L-2, and L-3). Two new 36-inch box “Swan Hill” Olive trees are proposed (*Olea Europaea*); one will be located in the existing front yard area and the other is proposed in the new landscape planter replacing a portion of the existing driveway. 104 shrub plantings are proposed throughout the front and rear yards, including Camellia (*camellia sasanqua*, “Shishi Gashira”) and Berkely Sedge (*Carex tumulicola*). Three landscape beds are proposed to be filled with various shade perennials, as listed on sheet L-1. New sod is also proposed in the front and rear yard areas. Sheet L-3 indicates the various irrigation zones on the property and the type of irrigation that will be utilized in each zone. A detailed written description of the irrigation specifications has been provided by the applicant.

Fiberglass Roof Eave: The applicant has provided a revised color/material packet for the Commission to review, including a colored manufacturer’s sheet with information on the proposed trim material. The applicant is proposing to use Fypon brand Cellular PVC trim at the top of the first floor where the exterior walls of the second story are stepped back from the exterior walls of the first story.

Building Height and Bulk: As noted above, the exterior walls of the proposed second story addition are stepped back from the exterior walls of the existing first story, such that a full roof eave can be provided on all four building elevations. This design typically helps to reduce building mass. As part of the revised materials packet, the applicant has provided photograph examples of buildings where the walls of the second story are stepped back. The overall proposed building height is 25 feet where a maximum 28 feet would be permitted per the Zoning Ordinance.

Detailed Rendering: The applicant's architect has provided a detailed rendering of the proposed remodeled home with the second story addition and landscaping. This rendering is attached as the first page in the plan set.

Solar Panels: Concerns were raised at the July 18, 2006 Planning Commission meeting pertaining to the future installation of solar panels on the roof of the proposed addition. City staff has researched this topic and found that State Assembly Bill No. 2473 (approved September 24, 2004) prohibits the legislative body of any city or county from prohibiting or unreasonably restricting the use of solar energy systems other than for the preservation or protection of the public health and safety. Further, AB 2473 requires "every city, county, or city and county to approve the installation of a solar energy system through the issuance of specified permits." Based on this information, it appears that prohibiting future installation of solar panels on the subject residence is not within the purview of the Planning Commission's Single Family Design Review at this time.

PROJECT ANALYSIS

Existing Dwelling Floor Area/Layout

The 1,905 square-foot residence consists of a two-car garage (interior clear parking dimensions of 23.5' length x 19.5' width), kitchen, dining/family room, living room, three bedrooms, and two bathrooms.

Proposed Dwelling Modifications – Existing First Floor & New Second Floor

The applicant is proposing to entirely remodel the existing first floor of the residence. The remodeled lower level would consist of a kitchen, family room, living room, dining room, a bedroom with full bathroom, stand alone half-bath, storage closets, and a stairwell to the proposed second level. The proposed new 1,204 square-foot second floor would consist of an open office/den area (incorporated as part of a hallway), a master bedroom and bathroom, two additional bedrooms, and a stand alone bathroom. Four total bedrooms (one bedroom increase) would result from the proposed addition.

Dwelling Floor Area Summary	
Proposed Square Footage	Proposed Modifications/Additions
First Level – 1,957 Sq. Ft.	<u>Existing:</u> Two-car garage, kitchen, family/dining room, three bedrooms, two bathrooms. <u>Proposed:</u> new stairway to proposed second level, half bathroom, and removal of two bedrooms.
New Second Level – 1,204 Sq. Ft.	Master Bedroom with bathroom, two bedrooms, office/den space, full bathroom.
Proposed Floor Area: 1,256 Sq. Ft. Existing Floor Area: 1,905 Sq. Ft. Total for dwelling = 3,161 Sq. Ft.	

Exterior Materials/Colors

The existing dwelling is sheathed in off-white stucco, with a red brick veneer utilized on the lower half of the building and on building accents (garage columns, chimney). The roof is covered with red/brown composition shingles.

The applicant is proposing to modify the material/color scheme for the entire residence. The exterior walls will continue to be stucco but would be painted pale grey/taupe. White would be used for the roof trim and a dark teal is proposed for other building accents. A decorative entry portico is proposed with a molded copper roof eave. Custom fiberglass roof eaves to match the copper eave over the entry portico would be used for the lower level roof eaves where the second story is stepped back from the first story exterior walls. As noted above, a manufacturer's sheet for the proposed fiberglass roof eave has been provided. The materials and photos are illustrated on the attached sample sheet (See Attachment VII).

Landscaping and Groundwork

As noted above in the discussion section, the landscape plan was revised based on comments provided by the Planning Commission at the July 18, 2006 meeting. The subject property has existing mature landscaping consisting of grass lawn areas and a variety of non-protected trees, shrubs and bushes in the front, side and rear yards. No landscaping is proposed to be removed as a result of the project. New landscaping includes two Olive trees, 104 new shrub plantings, 68 perennials, and new sod in the front and rear yards. No grading is proposed for the project, as the new second floor will have no impact on the ground area. The applicant has also provided photos that document the condition of all existing landscaping. Should any existing landscaping be damaged during construction, it shall be replaced consistent with the photos and the proposed landscape plan, per a recommended condition of approval.

PROJECT DATA

Criteria	Existing	Proposed	Required/Max. Allowed
Lot Size	7,200 sq. ft.	No Change	N/A
Slope	<5%	No Change	N/A
FAR	0.264	0.439	0.486 (corresponds to 3,500 sq. ft. max.)
Square Footage	1,905 sq. ft.	3,161 sq. ft.	3,500 sq. ft.
Parking	Two-car garage (23.5' x 19.5') Two uncovered	No Change	Two-car garage* (20' x 20' minimum) Two uncovered
Setbacks:			
Front (east)	30 ft.	No Change	15-30 ft.**
Side (north)	11 ft.	No Change	7.1 ft.
Side (south)	9 ft. 10 in.	No Change	7.1 ft.
Rear (west)	15 ft.	No Change	15 ft.
Driveway length	Approx. 30 ft.	No change	18 ft.
Height	18 ft.	25 ft. (Chimney is 26'6")	28 ft.

* The existing two car garage does not meet the required 20' x 20' minimum interior measurements but does comply with the floor area reserve exception outlined in BZO Section 8.3.1 (e) and discussed in the *Zoning Conformance* section of this report.

**As the proposed second story addition does not further encroach upon the existing 30-foot front yard setback, the provisions of Section 9.7.4(a) were not evaluated.

GENERAL PLAN CONFORMANCE

The proposed addition for the single-family residence does not change the land use of the site. The residence is in conformance with the low-density residential General Plan designation.

ZONING CONFORMANCE

The following sections of the BZO addresses elements of the existing site/dwelling and proposed addition:

1. Section 8.3.1 (e) of the BZO states:

Minimum Garage Dimension - A garage containing two parking spaces shall have an inside dimension of not less than 20 feet by 20 feet; however, any garage constructed prior to April 21, 2005 having a minimum interior dimension of 17 feet in width by 18 feet in depth shall be considered a legal nonconforming two-car garage for purposes of this Ordinance. Any such dwelling with a 17' X 18' legal nonconforming garage may continue its nonconformity provided the square footage necessary to establish a 20' x 20' garage be reserved from the maximum permitted dwelling floor area for a future garage upgrade.

The free and clear interior of the existing two-car garage measures 23.5 feet long by 19.5 feet wide. The garage was legally constructed prior to April 21, 2005 and has a minimum width that is more than 17 feet, therefore it is considered legal nonconforming and may continue that non-conformity provided that the square footage necessary to establish a 20' by 20' garage (which in this instance is 1/2-ft. x 20 ft. or 10 sq. ft.) is reserved from the maximum permitted floor area. The maximum allowable floor area for the residence is 3,500 sq. ft. and the proposed addition would result in a 3,161 sq. ft. residence, reserving 339 sq. ft. which is sufficient for a future garage expansion. The project complies with this requirement.

2. The existing 70 sq. ft. storage shed in the rear yard does not have permits and is proposed to be removed as a part of this project.

The proposed additions meet all other setback, height, FAR, and permitted use regulations of the R-1B zoning district.

NEIGHBORHOOD OUTREACH

The applicant performed neighborhood outreach as detailed in the Neighborhood Outreach Strategy and letter attached to this report (Attachment IV). The property owner reported sending a letter to all neighbors within 300 feet of their house on March 31, 2006 informing them of the project and requesting any comments. The letter invited neighbors to attend an open house that was held on April 15, 2006. One neighbor submitted a letter of opposition prior to the July 18, 2006 Planning Commission meeting and spoke in opposition of the project at the public hearing, citing privacy concerns and protection of private views. In an effort to minimize the above concerns with the project, the applicant has replaced some of the second story windows with "clerestory" windows that will reduce visibility between homes while still allowing natural light into the proposed upstairs bedrooms. City staff has reviewed no additional letters or comments as of the writing of this report. The applicant appears to have satisfied the neighborhood outreach requirement.

ENVIRONMENTAL CLEARANCE (CEQA)

The proposed addition to the single-family home is categorically exempt from the provisions of the California Environmental Quality Act by provision of Section 15301, Class 1 (e) (2)(a&b):

“Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet if:

- (A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and*
- (B) The area in which the project is located is not environmentally sensitive.*

The existing residence meets the above requirements for CEQA exemption.

SINGLE FAMILY DESIGN REVIEW EVALUATION

The Belmont Zoning Ordinance establishes the following findings for the review of single-family residential projects (Section 13A.5(A-H)). Each finding is listed below with staff's analysis of whether this project meets each finding in the affirmative.

- A. *The buildings and structures shown on the site plan are located to be consistent with the character of existing development on the site and in the neighborhood, as defined; minimize disruptions of existing public views; protect the profile of prominent ridgelines.*

The existing one-story residence is situated on a nonridge moderately flat (less than 5% grade) lot. The design, materials and color palette of the proposed remodel and addition are consistent with the established character (wood and stucco exterior designs) of other one and two story homes within the neighborhood. Although the proposed second story addition would increase the height of the dwelling to 25 feet (Chimney is 26 ½ feet), the new second floor will minimize disruption of public views as assessed from Beresford Avenue. Staff believes this finding can be made in the affirmative.

- B. *The overall site and building plans achieve an acceptable balance among the following factors:*

- (1) building bulk*
- (2) grading, including*
 - (a) disturbed surface area and*
 - (b) total cubic yards, cut and fill*
- (3) hardscape, and*
- (4) tree removal*

Building bulk

The proposed project would add a new 1,204 sq. ft. second floor for the existing residence and 52 sq. ft. to the lower level. The existing height of the building (18 ft.) will increase to 25 feet with the proposed addition (The chimney is 26'6"), but will not exceed the BZO maximum height (28 feet).

The front elevation of the proposed building (east face) includes an articulated entry portico with a molded copper roof eave. The design of the new second floor includes a varying pitch roof and multi-pane window treatment. The walls of the second story have been stepped back from the exterior walls of the lower level such that a roof eave can be provided at the top of the lower level on all elevations. Custom fiberglass roof eaves to match the copper eave over the entry portico would be used for these lower level roof eaves (see attached material sheet for information and photos of this material). The design includes a complimentary palette of white for the trim colors, dark teal for other accents, and light gray/taupe for the exterior stucco walls. Staff believes the proposed architectural design of the second floor addition moderates the building bulk and is appropriate for this structure and the neighborhood.

Grading/Hardscape

The second floor addition will have no impact to the ground areas. The remainder of the building footprint would remain unchanged from the project. The building expansion does not significantly increase the hardscape of the lot.

Tree Removal

The site is currently landscaped with lawn areas, and various non-protected trees, shrubs and hedges. All existing landscaping would remain and no trees would be pruned or removed to allow for construction of the project.

All four factors (building bulk, grading, hardscape, and tree removal) appear to be appropriately addressed in the building design to achieve a complementary balance for the project. Staff believes this finding can be made in the affirmative.

C. All accessways shown on the site plan and on the topographic map are arranged to provide safe vehicular and pedestrian access to all buildings and structures.

The existing concrete driveway has clear access to/from Beresford Avenue. This driveway has sufficient back-up space (30' within the property). A portion of the driveway will be removed and replaced with a landscape planter in an effort to reduce hardscape on the property. An existing concrete walkway connecting the driveway to the front entry will be replaced with on grade flagstones and will continue to be safe for pedestrian usage. Staff believes this finding can be made in the affirmative.

D. All proposed grading and site preparation have been adequately reviewed to protect against site stability and ground movement hazards, erosion and flooding potential, and habitat and stream degradation.

No grading is proposed for the project, as the new second floor will have no impact on the ground area. There are no known geological or flooding hazards in the immediate neighborhood of the subject property, and there are no streams on or near the property. Staff believes this finding can be made in the affirmative.

E. All accessory and support features, including driveway and parking surfaces, underfloor areas, retaining walls, utility services and other accessory structures are integrated into the overall project design.

There are no proposed changes to the driveway or utility services; no new retaining walls or accessory structures are proposed for the site. An existing non-permitted storage shed in the rear yard would be removed in conjunction with the project. Staff believes this finding can be made in the affirmative.

F. The landscape plan incorporates:

- (1) Native plants appropriate to the site's environmental setting and microclimate, and*
- (2) Appropriate landscape screening of accessory and support structures, and*
- (3) Replacement trees in sufficient quantity to comply with the standards of Section 25 (Trees) of the Belmont City Code*

The site is currently landscaped with lawn areas and various non-protected trees shrubs and hedges. No landscaping would be pruned or removed to allow for construction of the project and all on-site landscaping would remain. Two new Olive trees are proposed – one in the front yard and one in the new landscape planter adjacent to the driveway. New shrub and perennial plantings, and new sod is proposed in the front and rear yards. There are no accessory or support structures on the site that would require landscaping screening. A condition of approval has been included requiring that any landscape damaged or removed during construction of the addition be replaced in kind per the photographs submitted by the applicant and per the attached landscape plan. Staff believes this finding can be made in the affirmative.

G. Adequate measures have been developed for construction-related impacts, such as haul routes, material storage, erosion control, tree protection, waste recycling and disposal, and other potential hazards.

Review of staging areas, recycling and disposal procedures and adequacy of erosion control measures would be reviewed by the Building Division as part of the structural plan check. All construction would be completed in compliance with the Uniform Building Code and NPDES standards as administered by the City of Belmont. Staff believes this finding can be made in the affirmative.

H. Structural encroachments into the public right-of-way associated with the project comply with the standards of Section 22, Article 1 (Encroachments) of the Belmont City Code.

The proposal includes no new encroachments into the public right-of-way. Staff believes finding can be made in the affirmative.

CONCLUSION AND RECOMMENDATION

Based on the analysis and required findings, staff recommends approval of the Single-Family Design Review application with the Conditions of Approval in Attachment III.

ACTION ALTERNATIVES

1. Continue the application for redesign.
2. Deny the Single Family Design Review. The Commission will identify specific facts to support a denial, and a resolution would be returned to the Commission for final action.

ATTACHMENTS

- I. 500 foot radius map of project site (incorporated as Page 2 of report)
- II. Resolution approving the Single Family Design Review
- III. Conditions of Approval
- IV. Neighborhood Outreach Materials
- V. Staff Report dated July 18, 2006
- VI. Minutes from the July 18, 2006 Planning Commission Meeting
- VII. Applicant's plans, materials board, and photos (Commission only)

CC: Applicant/Owners

PLEASE NOTE: Attachments IV through VII are not included as part of this document. Attachments V and VI can be found on the Belmont Web site, otherwise please contact the Community Development Department at (650) 595-7453 for more information on viewing attachments IV through VII.

RESOLUTION NO. 2006-_____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT APPROVING
A SINGLE FAMILY DESIGN REVIEW
FOR 3403 BERESFORD AVENUE (APPL. NO. 2006-0035)

WHEREAS, John Moy, property owner, requests Single Family Design Review approval to construct a 1,256 square-foot addition to the existing 1,905 square-foot residence for a total of 3,161 square feet that is below the R-1B Zoning District permitted 3,500 square for this site; and,

WHEREAS, public hearings were duly noticed, held, and closed on July 18, 2006 and October 17, 2006; and,

WHEREAS, the Planning Commission of the City of Belmont finds the project to be categorically exempt pursuant to the California Environmental Quality Act, Section 15301, Class 1 (e) (2)(a&b); and,

WHEREAS, the Planning Commission hereby adopts the staff reports dated July 18, 2006 and October 17, 2006 and the facts contained therein as its own findings of facts; and,

WHEREAS, the Planning Commission finds the required Single Family Design Review Findings, Section 13A.5(A-H), are made in the affirmative as follows:

- A. *The buildings and structures shown on the site plan are located to be consistent with the character of existing development on the site and in the neighborhood, as defined; minimize disruptions of existing public views; protect the profile of prominent ridgelines.*

The existing one-story residence is situated on a nonridge moderately flat (less than 5% grade) lot. The design, materials and color palette of the proposed remodel and addition are consistent with the established character (wood and stucco exterior designs) of other one and two story homes within the neighborhood. Although the proposed second story addition would increase the height of the dwelling to 25 feet (Chimney is 26 ½ feet), the new second floor will minimize disruption of public views as assessed from Beresford Avenue. This finding is affirmed.

- B. *The overall site and building plans achieve an acceptable balance among the following factors:*

- (1) *building bulk*
- (2) *grading, including*
 - (a) *disturbed surface area and*
 - (b) *total cubic yards, cut and fill*
- (3) *hardscape, and*
- (4) *tree removal*

Building bulk

The proposed project would add a new 1,204 sq. ft. second floor for the existing residence and 52 sq. ft. to the lower level. The existing height of the building (18 ft.) will increase to 25 feet with the proposed addition (The chimney is 26'6"), but will not exceed the BZO maximum height (28 feet).

The front elevation of the proposed building (east face) includes an articulated entry portico with a molded copper roof eave. The design of the new second floor includes a varying pitch roof and multi-

pane window treatment. The walls of the second story have been stepped back from the exterior walls of the lower level such that a roof eave can be provided at the top of the lower level on all elevations. Custom fiberglass roof eaves to match the copper eave over the entry portico would be used for these lower level roof eaves (see attached material sheet for information and photos of this material). The design includes a complimentary palette of white for the trim colors, dark teal for other accents, and light gray/taupe for the exterior stucco walls. Staff believes the proposed architectural design of the second floor addition moderates the building bulk and is appropriate for this structure and the neighborhood.

Grading/Hardscape

The second floor addition will have no impact to the ground areas. The remainder of the building footprint would remain unchanged from the project. The building expansion does not significantly increase the hardscape of the lot.

Tree Removal

The site is currently landscaped with lawn areas, and various non-protected trees, shrubs and hedges. All existing landscaping would remain and no trees would be pruned or removed to allow for construction of the project.

All four factors (building bulk, grading, hardscape, and tree removal) appear to be appropriately addressed in the building design to achieve a complementary balance for the project. This finding is affirmed.

- C. *All accessways shown on the site plan and on the topographic map are arranged to provide safe vehicular and pedestrian access to all buildings and structures.*

The existing concrete driveway has clear access to/from Beresford Avenue. This driveway has sufficient back-up space (30' within the property). A portion of the driveway will be removed and replaced with a landscape planter in an effort to reduce hardscape on the property. An existing concrete walkway connecting the driveway to the front entry will be replaced with on grade flagstones and will continue to be safe for pedestrian usage. This finding is affirmed.

- D. *All proposed grading and site preparation have been adequately reviewed to protect against site stability and ground movement hazards, erosion and flooding potential, and habitat and stream degradation.*

No grading is proposed for the project, as the new second floor will have no impact on the ground area. There are no known geological or flooding hazards in the immediate neighborhood of the subject property, and there are no streams on or near the property. This finding is affirmed.

- E. *All accessory and support features, including driveway and parking surfaces, underfloor areas, retaining walls, utility services and other accessory structures are integrated into the overall project design.*

There are no proposed changes to the driveway or utility services; no new retaining walls or accessory structures are proposed for the site. An existing non-permitted storage shed in the rear yard would be removed in conjunction with the project. This finding is affirmed.

H. The landscape plan incorporates:

- (1) Native plants appropriate to the site's environmental setting and microclimate, and*
- (2) Appropriate landscape screening of accessory and support structures, and*
- (3) Replacement trees in sufficient quantity to comply with the standards of Section 25 (Trees) of the Belmont City Code*

The site is currently landscaped with lawn areas and various non-protected trees shrubs and hedges. No landscaping would be pruned or removed to allow for construction of the project and all on-site landscaping would remain. Two new Olive trees are proposed – one in the front yard and one in the new landscape planter adjacent to the driveway. New shrub and perennial plantings, and new sod is proposed in the front and rear yards. There are no accessory or support structures on the site that would require landscaping screening. A condition of approval has been included requiring that any landscape damaged or removed during construction of the addition be replaced in kind per the photographs submitted by the applicant and per the attached landscape plan. This finding is affirmed.

G. Adequate measures have been developed for construction-related impacts, such as haul routes, material storage, erosion control, tree protection, waste recycling and disposal, and other potential hazards.

Review of staging areas, recycling and disposal procedures and adequacy of erosion control measures would be reviewed by the Building Division as part of the structural plan check. All construction would be completed in compliance with the Uniform Building Code and NPDES standards as administered by the City of Belmont. This finding is affirmed.

H. Structural encroachments into the public right-of-way associated with the project comply with the standards of Section 22, Article 1 (Encroachments) of the Belmont City Code.

The proposal includes no new encroachments into the public right-of-way. This finding is affirmed.

WHEREAS, the Planning Commission did hear and use their independent judgment and considered all said reports, recommendations and testimony hereinabove set forth.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission approves the Single Family Design Review to construct a 1,256 square-foot addition to the existing 1,905 square foot residence for a total of 3,161 square feet at 3403 Beresford Avenue, subject to the attached conditions in Exhibit "A".

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Belmont held on October 17, 2006 by the following vote:

AYES,
COMMISSIONERS: _____
NOES,
COMMISSIONERS: _____
ABSENT,
COMMISSIONERS: _____
ABSTAIN,
COMMISSIONERS: _____
RECUSED,
COMMISSIONERS: _____

Carlos deMelo
Planning Commission Secretary

EXHIBIT "A"

CONDITIONS OF PROJECT APPROVAL SINGLE FAMILY DESIGN REVIEW 3403 BERESFORD AVENUE (APPL. NO.2006-0035)

I. COMPLY WITH THE FOLLOWING CONDITIONS OF THE COMMUNITY DEVELOPMENT DEPARTMENT:

- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions:

Planning Division

1. Construction shall conform to the plans on file in the Planning Division for Appl. No. 2006-0035 and date-stamped September 29, 2006. The Director of Community Development may approve minor modifications to the plans.
2. All construction and related activities which require a City building permit shall be allowed only during the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, and 10:00 a.m. to 5:00 p.m. on Saturdays. No construction activity or related activities shall be allowed outside of the aforementioned hours or on Sundays and the following holidays: New Year's Day, President's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day and Christmas Day. All gasoline powered construction equipment shall be equipped with an operating muffler or baffling system as originally provided by the manufacturer, and no modification to these systems is permitted.

Prior to issuance of building permits, the property owner shall file with the Director of Community Development, on forms provided by the City, an acknowledgment that he/she has read, understands and agrees to these conditions of approval.

4. In accordance with the Belmont Zoning Ordinance, the permit(s) granted by this approval shall expire one (1) year from the date of approval, with said approval date indicated on the accompanying Planning Commission resolution. Any request for extension of the expiration date shall be made in accordance with the applicable provisions of the Belmont Zoning Ordinance.
5. In the event that this approval is challenged by a third party, the property owner and all assignees will be responsible for defending against this challenge, and agrees to accept responsibility for defense at the request of the City. The property owner and all assignees agree to defend, indemnify and hold harmless the City of Belmont and all officials, staff, consultants and agents from any costs, claims or liabilities arising from the approval, including without limitation, any award of attorneys fees that might result from the third party challenge.

6. Prior to the issuance of a certificate of occupancy, the existing detached shed located within the rear yard area shall be removed.
7. Any on-site landscaping damaged by construction of the project (i.e. new second story or foundation work) shall be replaced consistent with the approved landscape plan and site photographs, prior to issuance of a Certificate of Occupancy for the dwelling.

Building Division

1. Prior to any construction, the applicant or a designated representative shall obtain all of the required building permits for the project. The applicant will be required to provide a construction and demolition-recycling plan as a condition of the building permit. The Building Department will inspect for compliance with this plan. The conditions of approval for this permit also require the applicant to perform all work in conformance with the NPDES requirements.

II. COMPLY WITH THE FOLLOWING CONDITIONS OF THE PUBLIC WORKS DEPARTMENT:

- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions.
 1. Streets, sidewalks and curbs in need of repair within and bordering the project shall be repaired and/or removed and replaced in accordance with the Department of Public Works approved standards. Photographs or video of before condition are recommended.
 2. Roof leaders and site drainage shall be directed to the City Stormwater drainage system. A dissipater box or other energy reduction method shall be used.
 3. Roof downspout systems shall be designed to drain into designated, effective infiltration areas or structures (refer to Bay Area Stormwater Management Agencies Association – BASMAA – Start at the Source Design Guidance Manual for Stormwater Quality Protection (Available from BASMAA @ (510) 622-2465).
 4. Applicant shall provide receptacles for recycling. Containers shall segregate glass, plastic and aluminum containers and paper. Property manager shall ensure these materials are recycled, such as by adding them to the regular recycle stream for on-site pick up by BFI or by returning them for redemption.
- B. The following conditions shall be met prior to the issuance of the first building permit (i.e., foundation permit) and/or site development permits except as otherwise specified in the conditions.

1. The property owner/applicant shall apply for and obtain temporary encroachment permits from the Department of Public Works for work in the City public right-of-way, easements or property in which the City holds an interest, including driveway, sidewalk, sewer connections, sewer clean-outs, curb drains, storm drain connections, placement of a debris box.
2. Property owner/applicant shall apply for and obtain a grading permit from the department of Public Works. The grading permit fee is based on the total amount of earth moved including cut and fill.
3. Verify location of utility meters, valves, back flow preventers, and hydrants with appropriate utility company. Show relationship of each to site improvements, such as retaining walls.
4. The owner/applicant shall submit a dust control plan for approval by the Department of Public Works. To reduce dust levels, exposed earth surfaces shall be watered as necessary. The application of water shall be monitored to prevent runoff into the storm drain system. Spillage resulting from hauling operations along or across any public or private property shall be removed immediately. Dust nuisances originating from the contractor's operations, either inside or outside of the right-of-way shall be controlled.
5. The owner/applicant shall perform a video inspection of the sewer lateral from the house/building to the sewer main, submit the inspection to the Department of Public Works for review and make any necessary repairs to the lateral.
6. Sanitary sewer to include a back flow prevention device.
7. The applicant shall submit an erosion and sedimentation control plan describing Best Management Practices (BMPs) to be used to prevent soil, dirt, and debris from entering the storm drain system. The plan shall include the following items:
 - a. A site plan showing the property lines, existing and proposed topography, and slopes; areas to be disturbed, locations of cut/fill and soil storage/disposal area; areas with existing vegetation to be protected; existing and proposed drainage patterns and structures; watercourses or sensitive areas on-site or immediately downstream of project; and designated construction access routes, staging areas and washout areas.
 - b. Erosion and sediment controls to be used during construction, selected as appropriate from the California Regional Water Quality Control Board, San Francisco Bay Region Erosion and Sedimentation Control Field Manual (available from: Friends of the San Francisco Estuary, P.O. Box 791, Oakland, CA 94604-0791).
 - c. Methods and procedures to stabilize denuded areas and install and maintain temporary erosion and sediment control continuously until permanent erosion controls have been established.
 - d. Provision for preventing erosion and trapping sediment on-site, such as sediment basins or traps, earthen dikes or berms, fiber rolls, silt fence, check dams, storm drain

- inlet protection, soil blankets or mats, covers for soil stock piles and/or other measures.
- e. Provisions for installing vegetative cover in disturbed areas, including areas to be seeded, planted, and/or mulched, and types of vegetation proposed.
 - f. Provision for diverting on-site runoff around exposed areas and diverting off-site runoff around the project site (e.g., swales and dikes).
 - g. Notes, specifications, and/or attachments describing the construction, operation and maintenance of erosion and sediment control measures, including inspection frequency; methods and schedule for grading, excavation, filling clearing of vegetation and storage and disposal of excavated or cleared material; types of vegetative cover and mulch, including methods and schedules for planting and fertilization; and provisions for temporary and permanent irrigation.
8. The owner/applicant shall provide a plan showing all the site improvements and utility trench locations. The plan shall indicate the location of all the protected trees and protection fences on site. No utility trench shall encroach within the protection fence areas.
- C. The following conditions shall be met prior to occupancy except as otherwise specified in the conditions.
- 1. After the City permits are approved but before beginning construction, the owner/applicant shall hold a preconstruction conference with Building and Public Works Department staff and other interested parties. The developer shall arrange for the attendance of the construction manager, contractor, and all subcontractors who are responsible for grading and erosion and sedimentation protection controls.
 - 2. Failure to comply with any permit condition may result in a “Stop Work” order or other penalty.
 - 3. The owner/applicant shall ensure that applicable Best Management Practices (BMPs) from the San Mateo Stormwater Pollution Prevention Program (STOPPP) are followed to prevent discharge of soil or any construction material into the gutter, stormdrain system or creek.
 - 4. If construction is not complete by the start of the wet season (November 15 through April 15), prior to November 15 the developer shall implement a winterization program to minimize the potential for erosion and sedimentation. As appropriate to the site and status of construction, winterization requirements shall include inspecting/maintaining/cleaning all soil erosion and sedimentation controls prior to, during, and immediately after each storm event; stabilizing disturbed soils through temporary or permanent seeding, mulching, matting, tarping or other physical means; rocking unpaved vehicle access to limit dispersion of mud onto public right-of-way; covering/tarping stored construction materials, fuels, and other chemicals. Plans to include proposed measures to prevent erosion and polluted runoff from all site conditions. As site conditions warrant, the Department of Public Works may direct the developer to implement additional winterization requirements.

5. Grading shall be performed in accordance with the City Grading Ordinance, Chapter 9 of the City Code. Soil or other construction materials shall not be stockpiled in the public right-of-way unless an encroachment permit is obtained from the Department of Public Works. Grading shall neither be initiated nor continued between November 15 and April 15. Grading shall be done between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday unless otherwise specifically authorized by the Director of Public Works. The Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality.
6. The owner/applicant shall ensure that all construction personnel follow standard BMPs for stormwater quality protection during construction of project. These includes, but are not limited to, the following:
 - a) Store, handle and dispose of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - b) Control and prevent the discharge of all potential pollutants, including solid wastes, paints, concrete, petroleum products, chemicals, washwater or sediment, and non-stormwater discharges to storm drains and watercourses.
 - c) Use sediment controls, filtration, or settling to remove sediment from dewatering effluent.
 - d) Do not clean, fuel, or maintain vehicles on-site, except in a designated area in which runoff is contained and treated.
 - e) Delineate clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses with field markers or fencing.
 - f) Protect adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching or other measures as appropriate.
 - g) Perform clearing and earth moving activities only during dry weather (April 15 through November 14).
 - h) Limit and time applications of pesticides and fertilizers to prevent polluted runoff.
 - i) Limit construction access routes and stabilize designated access points.
 - j) Do not track dirt or other materials off-site; clean off-site paved areas and sidewalks using dry sweeping methods.
7. The owner/applicant shall ensure that applicable Best Management Practices (BMPs) from the San Mateo Stormwater Pollution Prevention Program (STOPPP) are followed to prevent discharge of soil or any construction material into the gutter, stormdrain system or creek.
8. Failure to comply with any permit condition may result in a “Stop Work” order or other penalty.

III. COMPLY WITH THE FOLLOWING CONDITIONS OF THE SOUTH COUNTY FIRE DEPARTMENT:

1. Address numbers shall be illuminated and visible on all new buildings. Rear addressing is/may also be required. Size of lettering and illumination shall meet South County Fire Standards.

IV. COMPLY WITH THE FOLLOWING CONDITIONS OF THE POLICE DEPARTMENT:

1. All activities shall be subject to the requirements of the Belmont Noise Ordinance.
2. No debris boxes or building materials shall be stored on the street.
3. Flag persons shall be positioned at both ends of blocked traffic lanes.
4. 24-hour written notice to the Police Department is required before any lane closure.

Certification of Approved Final Conditions:

Jennifer Walker, Associate Planner

Date